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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/866,986	05/30/2001	Shigeki Ishino	046601-5098	4887
9629	7590	09/09/2004	EXAMINER	
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WASHINGTON, DC 20004			PAPER NUMBER	

2157

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/866,986

Applicant(s)

ISHINO, SHIGEKI

Examiner

Avi Gold

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 May 2001.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-17 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5/30/01.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This action is responsive to the application filed May 30, 2001. Claims 1-17 are pending. Claims 1-17 represent image reader and method of controlling the same.

Specification

1. The disclosure is objected to because of the following informalities: status of related application 09/954,299 needs to be updated. Appropriate correction is required.

Information Disclosure Statement

2. The information disclosure statement filed May 30, 2001 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because no English translation is provided. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609 ¶ C(1).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Hidaka et al., U.S. Patent No. 6,782,402.

Hidaka teaches the invention as claimed including a network copy-file management system which is made up of a copy system and terminals (see abstract).

Regarding claim 1, Hidaka teaches an image reader connected to a network, which is managed by a management device connected to the network, the image reader comprising:

an operation instruction receiving part that receives an operation instruction from the management device (col. 2, lines 44-49; col. 3, lines 14-16, Hidaka discloses a management and operation portion which inherently control a scanner); and

a reading part that reads an image on the basis of the operation instruction received by the operation instruction receiving part (col. 2, lines 44-45, Hidaka discloses a scanner reading information).

Regarding claim 2, Hidaka teaches the image reader according to claim 1, further comprising:

a display operation part that displays information and receives an operation instruction, wherein the reading part reads the image on the basis of the operation instruction received by the operation instruction receiving part, or the operation instruction received by the display operation part (fig. 45, col. 3, lines 17-19, Hidaka discloses a display portion).

Regarding claim 3, Hidaka teaches the image reader according to claim 2, further comprising:

an image transfer part that transfers the image read by the reading part to the management device (col. 3, lines 8-12, Hidaka discloses an image file transmitting portion).

Regarding claim 4, Hidaka teaches the image reader according to claim 2, further comprising:

a storage part that stores the image read by the reading part (col. 2, lines 56-66, Hidaka discloses a storage portion for storing the image file).

Regarding claim 5, Hidaka teaches the image reader according to claim 2, wherein the display operation part comprises a browser part that displays a web page

and receives an instruction to input information into the web page (col. 6, lines 48-67, Hidaka discloses images transmitted by Java Applet to web browser).

Regarding claim 6, Hidaka teaches the image reader according to claim 5, wherein the display operation part acquires an operation instruction page supplied from the management device, and displays the acquired operation instruction page (col. 6, lines 48-67, Hidaka discloses the management information being displayed).

Regarding claim 7, Hidaka teaches the image reader according to claim 6, wherein the reading part reads the image in accordance with the operation instruction that the management device issues on the basis of a parameter defined by the operation instruction page (col. 6, lines 48-67, Hidaka discloses the image file transmitting portion to send the image files corresponding to the specified management information).

Regarding claim 8, Hidaka teaches the image reader according to claim 6, wherein the operation instruction page permits to designate an instruction that reads one document plural times continuously by using different parameters (col. 3, lines 55-59, Hidaka discloses different parameters of image file and data).

Regarding claim 9, Hidaka teaches the image reader according to claim 5, further comprising a web server part that supplies the web page to the display operation part and a web client connected to the network (col. 6, lines 48-67).

Regarding claim 10, Hidaka teaches the image reader according to claim 9, wherein the display operation part acquires a first operation instruction page supplied from the management device,

acquires a second operation instruction page supplied by the web server part, and displays the acquired first and second operation instruction pages (col. 2, lines 44-49; col. 3, lines 17-19; col. 6, lines 48-67).

Regarding claim 11, Hidaka teaches the image reader according to claim 9, wherein, when there occurs a failure, the web server part supplies the display operation part with a failure information page to inform that the failure has occurred (col. 33, lines 28-39, Hidaka discloses an error message on the display screen).

Claims 13-17 do not teach or define any new limitations above claims 1-11 and therefore are rejected for similar reasons.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hidaka further in view of Meyer et al., U.S. Patent No. 6,289,378.

Hidaka teaches the invention substantially as claimed including a network copy-file management system which is made up of a copy system and terminals (see abstract).

As to claim 12, Hidaka teaches the method of claim 9.

Hidaka fails to teach the limitation further including the image reader according to claim 9, wherein the web server part supplies the display operation part or the web client with a control page that receives a control instruction including a shutdown of a power supply, and executes the control instruction received through the control page.

However, Meyer teaches a remote computer management system using a web browser (see abstract). Meyer teaches the use of remote shutdown of a computer (col. 6, lines 44-54).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hidaka in view of Meyer to allow the display operation part or the web client to remotely shutdown a power supply. One would be motivated to do so because it gives a client full control of the image reader connected to the network.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 6,757,715 to Philyaw.

U.S. Pat. No. 6,633,913 to Chalstrom et al.

U.S. Pat. No. 6,256,662 to Lo et al.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Avi Gold whose telephone number is 703-305-8762. The examiner can normally be reached on M-F 8:00-5:30 (1st Friday Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 703-308-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Avi Gold
Patent Examiner
Art Unit 2157

AMG


SALEH NAJJAR
PRIMARY EXAMINER